

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF WYOMING

FILED
U.S. DISTRICT COURT
DISTRICT OF WYOMING
2019 APR 15 PM 1:10
STEPHAN HARRIS, CLERK
CHEYENNE

UNITED STATES OF AMERICA,

Plaintiff,

v.

GIBSON BUCKLEY CONDIE,

Defendant,

and

WYOMING RETIREMENT SYSTEM,
c/o EMPOWER RETIREMENT,

Garnishee.

Criminal Action No. 17-CR-124-J

**ANSWER OF THE GARNISHEE
TO WRIT OF GARNISHMENT**

BENJAMIN L. BRANDES, BEING DULY SWORN
(Affiant Name)
DEPOSES AND STATES:

IF GARNISHEE IS AN INDIVIDUAL:

I am Garnishee herein doing business in the name of

(State full name and address of business)

IF GARNISHEE IS A PARTNERSHIP:

I am a partner or authorized representative of a partnership designated as

(State full name and address of partnership)

IF GARNISHEE IS A CORPORATION, LIMITED LIABILITY COMPANY or a STATE:

I am the _____ of Garnishee,
(State full name and address of business entity) **WYOMING RETIREMENT SYSTEM
 6101 YELLOWSTONE ROAD, SUITE 500
 CHEYENNE, WY 82002**

a Corporation / Limited Liability Company/State (circle one), organized under the laws of the State of **WYOMING**

On **Nov. 14**, 2018, Garnishee was served with the Writ of Continuing Garnishment, and answers as follows:

A. Garnishee employs Defendant or otherwise provides Defendant with compensation for services in the manner set forth in the following subsections-

1. Defendants current pay period is:

_____ weekly
 _____ bi-weekly
 _____ semi-monthly
 _____ monthly
 _____ Other (please specify) _____

2. Defendant=s current pay period (in effect on the date when the writ of garnishment was served) began and will end on the following dates:

_____ / _____ /2018 - _____ / _____ /2018

3. The following amounts reflect Defendant=s disposable earnings and the amount to be withheld pursuant to this Writ of Garnishment:

(a) Gross pay	\$
(b) Federal income tax	\$
(c) FICA	\$
(d) State income tax	\$
(e) Local income tax	\$
(f) Total tax withholdings	\$
(sum of (b) through (e))	
(g) Net Pay/Disposable Earnings	\$
(line (a) minus line (f))	
(h) Amount to be withheld	\$

(lesser of: (1) line (g) times 25%; or (2) the amount line (g) exceeds 30 times the federal minimum wage)

B. Garnishee has been served with other previous garnishments as to Defendant, which are described below to include the effective dates of the garnishment, whether the garnishment is continuing, and the garnishing party:

- C. Garnishee has custody, control or possession of the following property (non-earnings), in which the Defendant maintains an interest, as described below:

<u>Description of Property</u>	<u>Value</u>	<u>Approximate Description of Defendant=s Interest in Property</u>
1. 457 DEFENSES COMP ACCOUNT	~\$5,360.00 As of 4/10/2019	100%
2.		
3.		
4.		

- D. Garnishee anticipates owing to Defendant in the future, the following amounts:

<u>Amount</u>	<u>Estimate date or Period Due</u>
1. \$ _____	
2. \$ _____	
3. \$ _____	
4. \$ _____	

- E. Garnishee denies holding property subject to this Writ of Garnishment for the reasons indicated below:

_____ The Garnishee is now in no manner and upon no account indebted or under liability to Defendant, and the Garnishee does not have his/her possession or control any property belonging to Defendant, or in which the Garnishee has an interest, and is in no manner liable as Garnishee in this action.

_____ The Garnishee makes the following claim of exemption(s) on the part of Defendant:

_____ Garnishee claims it has the following objections, defenses, or set-offs to Plaintiff's right to apply Garnishee's indebtedness to Defendant upon Plaintiff's claim:

Garnishee mailed the original of these answers by first-class mail to the Clerk of the Court for the District of Wyoming, and a copy of this answer by first-class mail to Defendant and to:

C. Levi Martin
Assistant United States Attorney
P.O. Box 668
Cheyenne, WY 82001

GARNISHEE

A handwritten signature in blue ink, appearing to be "Z. J. B. L.", written over a horizontal line.

STATE OF WYOMING)
) ss
COUNTY OF LARAMIE)

Subscribed and sworn to before me by Benjamin Brandes this 11th day of
April, 2018.⁹

Notary Public Rachel Kelley

My Commission expires: October 13, 2019





WYOMING RETIREMENT SYSTEM 457 DEFERRED COMPENSATION PLAN

GIBSON CONDIE
1054 VALI RD
POWELL WY 82435-9259

Statement Period: 10/01/2018 - 12/31/2018
Participant ID: 2438311
Plan: 93001-02
Park County School Dist #1

Questions or concerns about your statement or account? Please call us at 777-3325 or 800-989-9324 or email 457pln@wyo.gov. Visit us in Cheyenne during business hours at 6101 Yellowstone RD, Suite 500.

What is my account balance?

\$4,732.35

As of 12/31/2018

Where can I go for help?

Website: www.wrsdcp.com
Phone: 1-800-701-8255
Mail: Empower Retirement
P.O. Box 173764
Denver, CO 80217-3764

How has my account changed?

	<u>Total</u>
Balance as of September 30, 2018	\$5,317.11
Change in Value	-581.17
Expenses	-3.59
Balance as of December 31, 2018	\$4,732.35

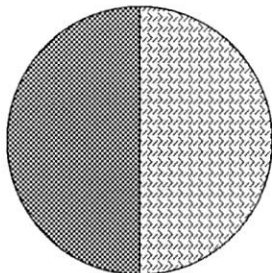
AS OF APRIL 10, 2019



5,361.12

WYOMING RETIREMENT SYSTEM 457 DEFERRED COMPENSATION PLAN

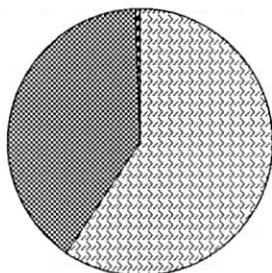
GIBSON CONDIE
2438311




How will my future contributions be invested?



-  50% LifePath Index 2025 Q
-  50% WRS Large Cap U.S. Equity Fund

How is my account invested?



-  59.3% WRS Large Cap U.S. Equity Fund
-  40.2% LifePath Index 2025 Q
-  .5% WRS Capital Preservation Fund

	<u>Beginning Balance</u>	<u>Deposits</u>	<u>Change in Value</u>	<u>Transfers</u>	<u>Withdrawals /Expenses</u>	<u>Ending Balance</u>	<u>Ending Units/ Shares</u>
LifePath Index 2025 Q	2,044.97		-140.95		-1.40	1,902.62	122.852
WRS Capital Preservation Fund	9.11		0.04			9.15	
WRS Large Cap U.S. Equity Fund	3,263.03		-440.26		-2.19	2,820.58	136.710
Totals	5,317.11		-581.17		-3.59	4,732.35	

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WYOMING RETIREMENT SYSTEM 457 DEFERRED COMPENSATION PLAN

GIBSON CONDIE
2438311

What investment options are available in my plan?

<u>Investment Code</u>	<u>Investment Option</u>
5510	LifePath Index Retirement Q
5511	LifePath Index 2020 Q
5512	LifePath Index 2025 Q
5513	LifePath Index 2030 Q
5514	LifePath Index 2035 Q
5515	LifePath Index 2040 Q
5516	LifePath Index 2045 Q
5517	LifePath Index 2050 Q
5518	LifePath Index 2055 Q
5519	LifePath Index 2060 Q
5752	WRS Capital Preservation Fund
3976	WRS Fixed Income Fund
3977	WRS Real Assets Fund
3973	WRS Large Cap U.S. Equity Fund
3975	WRS International Equity Fund
3974	WRS Small/Mid Cap U.S. Equity Fund

Who are my beneficiaries?

<u>Type</u>	<u>Name</u>	<u>Relationship</u>	<u>Percent</u>
Primary	Kimberly A Condie	Spouse	100.00%

How has my account changed over time?

Average Annual Effective Yield For This Reporting Period:

WRS Capital Preservation Fund 1.77%

What activity took place this period?

	<u>Payroll Date</u>	<u>Effective Date</u>	<u>Dollar Amount</u>	<u>Investment Option</u>	<u># Units /Shares</u>	<u>Unit/Share Price</u>
Expenses						
Asset based charge		Oct 15, 2018	-1.40	LifePath Index 2025 Q	-0.087	16.046
Asset based charge		Oct 15, 2018	-2.19	WRS Large Cap U.S. Equity Fund	-0.097	22.531
Total Expenses			-3.59			

WYOMING RETIREMENT SYSTEM 457 DEFERRED COMPENSATION PLAN

GIBSON CONDIE
2438311

Reduced Costs: Administrative costs for participants of the Deferred Compensation 457 Plan have been reduced from 0.27% of total assets to 0.26%, effective January 1, 2019. The administrative cost is equivalent to 26 cents on every \$100 of your account balance. The asset cap for administrative charges was also reduced to \$150,000 from \$182,000. The change results in an annual maximum administrative cost of up to \$390.00, a reduction from \$491.40. The WRS Board evaluates the amount charged for administration each year and seeks to reduce it whenever possible.

Contribution limits for 2019 Increase: \$19,000 for participants under age 50, and \$25,000 for participants who will be age 50 or older as of December 31, 2019. The special catch up limit for 2019 is \$38,000 for eligible participants. For special catch up eligibility, contact the Plan at 777-3325 or e-mail 457pln@wyo.gov.

Retirees: If you turned 70 1/2 in 2018 and did not withdraw a 2018 Required Minimum Distribution (RMD), you have until April 1, 2019 to satisfy your 2018 minimum distribution requirement. All subsequent years require RMDs by December 31st.

WRS Capital Preservation Fund: For the 4th quarter 2017, the Capital Preservation Fund earned an annualized interest rate of 1.77%.

Access to the website and voice response system may be limited or unavailable during periods of peak demand, market volatility, systems upgrades/maintenance or other reasons.

What is the rate of return on my retirement account(s)?

Period
10/01/2018 - 12/31/2018
-11.00%

Personalized performance information is provided to participants and account holders as a general approximation of the overall recent performance of their account. It estimates the equivalent rate of return during the stated period, based on the opening balance, transaction activity including any applicable fees, and closing balance. Past performance is not a guarantee or prediction of future investment results.

Please review this statement carefully to confirm that we have properly acted on your instructions. Corrections will be made only for errors which have been communicated within 90 calendar days of the last calendar quarter. Please direct all inquiries/complaints to the following:

Client Service Department
Attn - Enhanced Participant Services
8515 E. Orchard Rd.
Greenwood Village, CO 80111
1-800-701-8255

After this 90 days, this account information shall be deemed accurate and acceptable to you. If you notify the Company of an error after this 90 days the correction will only be processed from the date of notification forward and not on a retroactive basis.

Representatives of Empower Retirement do not offer or provide investment, fiduciary, financial, legal or tax advice or act in a fiduciary capacity for any client unless explicitly described in writing. Please consult with your investment advisor, attorney and/or tax advisor as needed.

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**WYOMING RETIREMENT SYSTEM 457 DEFERRED COMPENSATION
PLAN**

GIBSON CONDIE
2438311

-----An Important Message about Market Timing / Excessive Trading-----

Pursuant to SEC rules, fund companies are required to enter into agreements with intermediaries to provide fund companies with the ability to identify and enforce restrictions on participants engaging in market timing or excessive trading (prohibited trading), as defined by the fund companies. Participants engaging in prohibited trading will receive a warning and, if the prohibited trading continues, will be restricted from transferring into the identified fund(s) for a specific time period determined by the fund company. Some fund companies may restrict participants immediately, without warning when prohibited trading is identified. At the end of the restriction period, the participant will be automatically allowed to resume transfers into the identified fund(s). Transfers out of the identified fund (s) will not be restricted.



Wyoming Retirement System

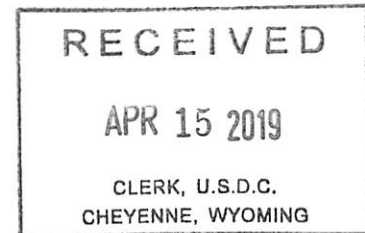
Partnering to Build Financial Security for Members and their Families

Mark Gordon
Governor

Ruth Ryerson
Executive Director

April 12, 2019

Stephan Harris
Clerk of Court
United States District Court
2120 Capitol Avenue, Room 2141
Cheyenne, WY 82001



In re: United States America v. Gibson Buckley Condie, and Wyoming Retirement System, c/o Empower Retirement

Criminal Action No. 17-CR-124-J

Dear Mr. Harris:

Please find the Wyoming Retirement System's **Answer of the Garnishee To Writ of Garnishment** enclosed. I can be reached at 307-777-6762 or at rachel.kelley@wyo.gov with any questions. Thank you.

Sincerely,

A handwritten signature in blue ink that reads "Rachel Kelley".

Rachel Kelley
Legal & Executive Support Specialist
Wyoming Retirement System

CC: C. Levi Martin, Assistant United States Attorney
Gibson Buckley Condie
Benjamin Brandes, General Counsel, WRS



Wyoming Retirement System
6101 Yellowstone Road, Suite 500
Cheyenne, WY 82002

Mr. Stephan Harris
Clerk of Court
United States District Court
2120 Capitol Avenue, Room 2141
Cheyenne, WY 82001

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

Mr. Stephan Harris
Clerk of Court
United States District Court
2120 Capitol Avenue, Room 2141
Cheyenne, WY 82001



9590 9402 1929 6123 5528 78

2. Article Number (Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

- ☐ Agent
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☒ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail[®]
☐ Certified Mail[®] Restricted Delivery
☐ Collect
☐ Collect on Delivery
☐ Insured
☐ Insured (over \$500)

- ☐ Priority Mail Express[®]
☒ Registered Mail[™]
☐ Registered Mail Restricted Delivery